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1636

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

2

Application Number

09/846,797

PTO/SB/21 (08-00)

Filing Date

May 1, 2001

JAN 31

2003

First Named Inventor

HOGAN et al.

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Group Art Unit

1636

TECH CENTER 1800/2900

Examiner Name

Konstantina Katcheves

Attorney Docket Number

GP121-02.UT

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Election of Species (1 p.)
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

Return Receipt Postcard

The Commissioner is hereby authorized to charge any amount due in connection with this filing to Deposit Account 07-0835 in the name of Gen-Probe Incorporated.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Michael J. Gilly, Reg. No. 42,579

Signature



Date

January 22, 2003

### CERTIFICATE OF MAILING

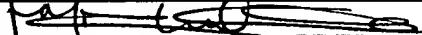
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, DC 20231 on this date:

January 22, 2003

Typed or printed name

Michael J. Gilly, Reg. No. 42,579

Signature



Date

January 22, 2003

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8

Q1P E JCB  
JAN 28 2003  
APRIL 2003  
Applicant : Hogan et al. ) Group Art Unit 1636  
Appl. No. : 09/846,797 )  
Filed : May 1, 2001 )  
For : Polynucleotide Probes for Detection )  
and Quantitation of Candida Species )  
Examiner : Konstantina Katcheves )  
\_\_\_\_\_  
)

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ELECTION OF SPECIES

Commissioner for Patents  
Washington, D.C. 20231

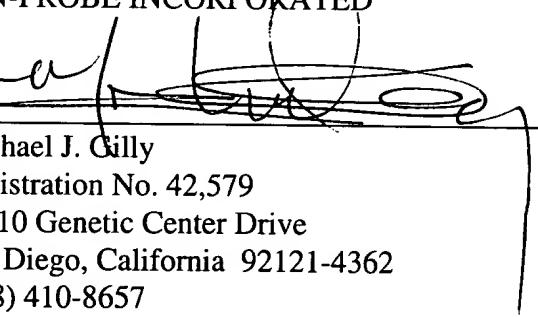
Dear Sir:

Responsive to the Communication mailed January 15, 2003 (Paper No. 7),  
Applicant hereby elects the sequence of SEQ ID NO:1 as a species for initial examination.

The present application is now believed to be in condition for examination.  
Prompt examination on the merits of the application is, therefore, respectfully requested.

Respectfully submitted,

GEN-PROBE INCORPORATED

By: 

Michael J. Gilly  
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10210 Genetic Center Drive  
San Diego, California 92121-4362  
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Dated: January 22, 2003